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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,142	05/14/2001	Adrian David Lincoln	211202	1124
23460 7590 03/31/2011 LEYDIG VOIT & MAYER, LTD TWO PRUDENTIAL PLAZA, SUITE 4900 180 NORTH STETSON AVENUE CHICAGO, IL 60601-6731				
EXAMINER CHOUDHURY, AZIZUL Q				
ART UNIT 2453		PAPER NUMBER		
NOTIFICATION DATE 03/31/2011		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

Chgpatent@leydig.com

Office Action Summary

Application No.

09/855,142

Applicant(s)

LINCOLN ET AL.

Examiner

AZIZUL CHOUDHURY

Art Unit

2453

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-896)
- Paper No(s) Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s) Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Withdrawal of Finality

Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lita (US Patent No: 5,796,941) in view of Hilla et al (US Patent No: 6,094,708), hereafter referred to Lita and Hilla, respectively.

1. With regards to claim 6, Lita teaches through Hilla, a method of responding to an information request from a client device, the method including the steps of: receiving the information request from the client device (*Lita teaches job requests; see column 5, lines 5-8, Lita*); wrapping the information request in at least one layer to produce a request object (*It is obvious that requests/packets have addressing information (layers) added; see Hilla below*); transmitting the request object over a distributed network comprising a plurality of processing

nodes (*Lita teaches sending the job request to the first server machine; see column 2, lines 56-63, Lita*); at a first of said processing nodes, performing analysis of the information request stored on the request object to determine whether the first processing node is able to process the information request and generate at least part of a response data which is responsive to said information request, and adding a routing layer to the request object containing routing information relating to a next stage in processing of the request object whilst leaving said at least one layer of the request object intact and undisturbed said first processing node determining the routing information contained in the routing layer in dependence upon only the request object content (*Lita teaches the first server machine processing a portion of the job; see column 2, lines 48-61, Lita. It is obvious that a second address of the second server is added to the job request since the job is transferred to a second server machine. This obvious address addition is equivalent to the claimed adding a routing layer; see Hilla below*); at a second of said processing nodes, performing analysis of the information request stored on the request object to determine whether said second processing node is able to process the information request and generate at least part of the response data which is response to said information request (*see column 2, lines 58-65, Lita*); at least one of said first and second processing nodes processing the information request in the request object and generating at least part of the response data which is responsive to said information request and adding said response data to said request object; and transmitting back to

said client device via said distributed network said request object, including said response data, for responding to the information request; wherein the request object further includes said information request (*Lita teaches selecting a second server machine to perform a second portion of the job, transferred from the first server machine; see column 2, line 54 - column 3, line 7, Lita*).

While Lita teaches transferring a job from a first server to a second server, Lita does not explicitly cite appending the address (adding routing layer) to the request. In the same field of endeavor, Hilla also teaches a networking system. Within Hilla's disclosure, it is taught how when packets are forwarded, they have addressing information appended on; see column 5, lines 6-15, Hilla. The appending of addressing information helps navigate packets/requests to their proper destinations. Therefore it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Lita with those of Hilla, to ensure proper navigation of packets/requests; see column 5, lines 11-12, Hilla.

2. With regards to claim 9, Lita teaches through Hilla, a system for responding to an information request from a client device, the system including: wrapping means configured to receive the information request from the client device and wrap the information request in at least one layer to produce a request object (*Lita teaches job requests; see column 5, lines 5-8, Lita. It is obvious that requests/packets have addressing information (layers) added; see Hilla below*); first and second

processing nodes (*Lita teaches a first and second server machines; see column 2, lines 54 and 64-65, Lita*); transmitting means configured to transmit the request object over a distributed network comprising each of said processing nodes (*Lita teaches sending the job request to the first server machine; see column 2, lines 56-63, Lita*); wherein the first processing node is operable to perform analysis of the information request stored on the request object to determine whether the first processing node is able to process the information request and generate at least part of a response data which is responsive to the information request, and includes means configured to add a further layer to the request object containing routing information relating to a next stage in processing of the request packet to be performed at the second processing node whilst leaving said at least one layer of the request packet intact and undisturbed, the first processing node determining the routing information contained in the routing layer in dependence only upon the request object content (*Lita teaches the first server machine processing a portion of the job; see column 2, lines 48-61, Lita. It is obvious that a second address of the second server is added to the job request since the job is transferred to a second server machine. This obvious address addition is equivalent to the claimed adding a routing layer; see Hilla below*); wherein the second processing node is operable to perform analysis of the information request stored on the request object to determine whether said second processing node is able to process the information request and generate at least part of the response data which is responsive to said information request

(see column 2, lines 58-65, Lita); means for processing the information request in the request object at least one of said first and second processing nodes to generate at least part of the responsive data which is responsive to said information request and for adding said response data to said request object; and means for transmitting back to said client device via said distributed network said request object, including said response data, for responding to said information request, said request object including said information request (*Lita teaches selecting a second server machine to perform a second portion of the job, transferred from the first server machine; see column 2, line 54 - column 3, line 7, Lita*).

While Lita teaches transferring a job from a first server to a second server, Lita does not explicitly cite appending the address (adding routing layer) to the request. In the same field of endeavor, Hilla also teaches a networking system. Within Hilla's disclosure, it is taught how when packets are forwarded, they have addressing information appended on; see column 5, lines 6-15, Hilla. The appending of addressing information helps navigate packets/requests to their proper destinations. Therefore it would have been obvious to one skilled in the art, during the time of the invention, to have combined the teachings of Lita with those of Hilla, to ensure proper navigation of packets/requests; see column 5, lines 11-12, Hilla.

3. With regards to claims 8 and 10, Lita teaches through Hilla, a method wherein the layers of the data object further include at least one layer selected from a group containing client device information, user identification information, and application identification information (*see at least column 6, line 64 – column 7, line 5, Lita*).

Response to Arguments

Applicant's arguments with respect to claims 6 and 8-10 have been considered but are moot in view of the new ground(s) of rejection. The new prior art Lita teaches how a first server processes a portion of the job. The job is then transferred to a second server and the remaining portion of the job is processed by the second server. The new prior art Hilla teaches how when data (such as job request) is transferred in a network, addressing information (layer) is appended.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AZIZUL CHOUDHURY whose telephone number is (571)272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele can be reached on (571) 272-7288. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2453

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. C./

Examiner, Art Unit 2453

/Krista M. Zele/

Supervisory Patent Examiner, Art Unit 2453